IN THE HIGH COURT OF JUDICATURE
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE J.CHELAMESWAR
and
THE HON'BLE MR JUSTICE D.APPA RAO

WRIT PETITION NO :548 of 2007

Dated: 5th January 2007.

Between:

T.Ravishankar, Kadapa District.

..... PETITIONER

AND

The Regional Transport Authority, Kadapa, Kadapa District and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE J.CHELAMESWAR
AND
THE HON'BLE SRI JUSTICE D.APPA RAO

W.P.NO.548 OF 2007

ORAL ORDER:
(Per the Hon'ble Sri Justice J.Chelameswar)

The petitioner is owner of a maxi cab bearing No. A.P. 04-U-8663 and claims to be an unemployed person eking livelihood by running the vehicle. The said vehicle was seized by the 1st respondent on 24-11-2006 under a vehicle check report, as according to the said respondent, he noticed the following irregularities.

> " (1) Applicable to the motor cab where the persons from Bharapet with a permission time that.
> (2) The vehicle is registering as Motor Cab But the vehicle is number as maxi cap puroxeis violated.
> (3) NC DL _ PVPVC (1) ABL at present of the APMVAct 31/12/06 And Manufacturer of the Motor cab registering by the M.I.I. for plying of Motor cab. There is a violation of Motor cab Number Plate is not visible"

The vehicle, it appears, is handed-over to the 2nd respondent, thereafter. Along with the vehicle check-report, the 1st respondent issued a memo indicating various amounts payable by the petitioner under various heads of law. Hence, the present writ petition with the prayer as follows:

> " For the reasons stated in the accompanying affidavit, the petitioner

herein therefore, prayed that this Hon'ble Court may be pleased to issue a Writ or Order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the Ist respondent in seizing the vehicle bearing NO: AP-04-U-8663 which is illegal and arbitrary and violative of Art-14 and 19 of the Constitution of India and consequently direct the Ist respondent to release the vehicle NO: AP-04-U-8663 which is under the 2nd respondent's custody and pass such other order or orders as this Hon'ble Court may deems fit and proper under the circumstances of the case."

Heard the learned Government Pleaders for Home and Transport.

In the circumstances, we are of the opinion that the writ petition can be disposed of at this stage directing the respondents to release the abovementioned vehicle on condition of the petitioner paying an amount of Rs.28,460/- in three equal installments of one month each. The first of such installments shall be payable on or before 10th January 2007 and the other two on 10th of every succeeding month. The vehicle shall be released on payment of the first installment of the above-directed payment. Default in payment of the balance installments, entitles seizure of the abovementioned vehicle again.

With the above directions, the writ petition is disposed of at the stage of admission.

J.Chelameswar, J

D.Appa Rao, J

Note:
Issue wire at party's cost.
(bo)
mrk
5th January 2007